

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division

ELIZABETH SINES, ET AL.,

Plaintiffs,

v.

Civil Action No. 3:17-cv-00072

JASON KESSLER, ET AL.,

Defendants.

DECLARATION OF ROBERT BAKER

Pursuant to 28 U.S.C. § 1749, I, Robert Baker, state and declare the following on oath and under penalty of perjury:

1. I am over the age of eighteen (18) years old and am legally competent to make this Declaration.
2. I am a member of the League of the South (“the League”). I have attended a number of League events and understand that the League holds regular conferences and political rallies. I helped to plan the League’s plan to travel to and from the Unite the Right rally in August 2017.
3. I have personally observed that individuals and groups that are hostile to the League and its members come to League events to oppose the League’s activities. In early 2017, I noticed that the more zealous and violent oppositionists often dressed in all-black clothing, carried red and black flags, and bore symbols such as a capital “A” inside a circle, an image of three arrows pointing downward and to the left, and an image of two flags, wherein one partially obscured the view of the other. Through personal experience

and observation, I came to understand that these symbols are used by those who identify with Anti-Fascist Action (“Antifa”). I understand Antifa to be an anarchist group that is known for its efforts to physically block access to “fascist” events and physically attack event attendees.

4. League planners have always taken numerous precautions when planning events. At each event that I have participated in, League officers have told members to stay together, coordinated lodging and travel, planned safe routes to and from events, identified a safe place for League members to park their vehicles, and brought groups of “medics” to administer first aid. These precautions are intended to ensure the safety of League members when they attend events, among other advantages.
5. It is my understanding that the League and other organizations that made up the Nationalist Front attended events together in early 2017. Under the direction of Dr. Hill, I planned the League’s participation in a rally in Pikeville, KY that other Nationalist Front organizations attended. I planned the League’s participation in that event without help from other organizations. To my knowledge, there was no joint planning between the attending organizations. The League planned the event and the other organizations were invited to attend. It is my understanding that the League attended events planned by other Nationalist Front organizations where, again, there was no joint planning effort.
6. At the event in Pikeville, a large group of oppositionists came to oppose the event. They were loud and wild and seemed violent. Fortunately, the police attended in force and kept oppositionists away from the rally. Because the League had carefully planned the event and law enforcement actively kept violent parties away from us, the rally took place without violence.

7. Dr. Hill asked me to plan the League's travel to and from the Unite the Right rally. In doing so, I used Discord to listen in on planning meetings. Exhibit 18 shows a Discord message that I sent indicating that I was the League's point of contact for rally organizers on Discord. In those meetings, Jason Kessler ("Kessler") relayed information about the rally. I did not participate in any group decision-making. It is my understanding that Kessler set up a number of chatrooms on Discord. He made a general chatroom for rally attendees and chatrooms for each organization. I participated in some chats. It is my understanding that some unidentified League members also used Discord. I did not hear or view any content about committing acts of intimidation or violence at the Unite the Right rally.
8. I did not have any contact with James Fields, Richard Spencer, Andrew Anglin, Christopher Cantwell, Matthew Parrott, Robert "Azzmador" Ray, Nathan Damigo, Elliot Kline, Moonbase Holdings, LLC, Identity Europa, Augustus Sol Invictus, the Fraternal Order of the Alt-Knights, Michael Peinovich, the Loyal White Knights of the KKK, or the East Coast Knights of the KKK about planning the events of August 11-12, 2017.
9. I was not impressed by Kessler's planning and became convinced that his inexperience would put rallygoers at risk. In particular, I feared that Kessler's plan to shuttle from McIntire Park to Emancipation Park would expose small groups of rallygoers to oppositionist violence. I believed that arriving as a group would deter violence. After reporting my concerns, Dr. Hill instructed me to make a separate plan for the League. At that time, I stopped participating in meetings on Discord.
10. I planned for the League to travel to the Market Street garage in Charlottesville and then walk to Emancipation Park. I chose that garage because it was next to a Charlottesville

Police Station and stood only a few blocks from Emancipation Park. I believed that the garage's location would deter oppositionists from confronting League members in the garage, would deter them from vandalizing our vehicles, and would allow League members to travel quickly to and from the park, minimizing the risk of attack. The Traditionalist Workers Party and Nationalist Socialist Movement agreed to join in on our plan to travel to and from the park.

11. On August 12th, when we arrived at the park, many of the attending organizations were already there, as was a rag-tag group of oppositionists.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this date: August 3, 2020

Robert Baker

Robert Baker